

Attorney's Docket No. : **11496/9-1052** 520 P-1390
U.S. Application No. : To be assigned 04 OCT 2000
Filed : Herewith - October 4, 2000
Applicant(s) : Candace PERT and Michael RUFF
International Application No. : **PCT/US99/07514**
International Filing Date : **April 6, 1999 (06 April 1999)**
Priority Date Claimed : **April 6, 1998 (06 April 1998) (US Prov. no. 60/080,836)**
Title of Invention : **SHORT PEPTIDES FOR TREATMENT OF NEUROLOGICAL
DEGENERATIVE DISEASES**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures [35 U.S.C. 371 (f)] at any time rather than delay examination until the expiration of the applicable time limit set forth in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
 a) is transmitted herewith (required only if not transmitted by the International Bureau)
 b) has been transmitted by the International Bureau
 c) is not required, as the application was filed in the United States Receiving Office (RO/US)
6. A translation of the International Application into English [35 U.S.C. 371(c)(2)]
7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
 a) are transmitted herewith (required only if not transmitted by the International Bureau)
 b) have been transmitted by the International Bureau
 c) have not been made; however, the time limit for making such amendments has **NOT** expired.
 d) have not been made and will not be made
8. A translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]
9. An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]

Items 11. to 16. below concern other document(s) or information included:

11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98
12. An Assignment document for recording. A separate cover sheet (PTO-1595) in compliance with 37 CFR 3.28 and 3.31 are included.
13. A **FIRST** preliminary amendment
 A **SECOND** or **SUBSEQUENT** preliminary amendment
14. A substitute specification
15. A change of power of attorney and/or address letter
16. (other items or information) **PCT/IPEA/409, PCT PUB. NO WO/99/51254;**

EXPRESS MAIL No.: **EL020806970 US** Deposited: **October 4, 2000**

I hereby certify that this correspondence is being deposited with the United States Postal Service Express mail under 37 CFR 1.10 on the date indicated above and is addressed to: BOX PCT, Commissioner for Patents, Washington, DC 20231.

Date: **October 4, 2000**

Debra J. Sittler

DECLARATION FOR PATENT APPLICATION

I (we) hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and to act in accordance with the instructions from:

William J. Sapone, Registration No. 32,518, Henry D. Coleman Reg. No. 32,559 and Neil Sudol, Registration No. 31,669, all of Coleman Sudol Sapone P.C. 708 Third Avenue, New York, New York 10017, U.S.A.

Address all telephone calls to: **William J. Sapone, Esq.** at Telephone No. **(212) 679-0090**

Address all correspondence to: **William J. Sapone, Esq.**
Coleman Sudol Sapone P.C.,
708 THIRD AVENUE
New York, NY 10017
U.S.A.

I (we) hereby declare that all statements made herein of my (our) own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | |
|--|--|--------------|-----|
| Full name of sole or 1st inventor (given name, family name): | | Candace PERT | |
| Residence: | 10319 Glen Road Potomac, Maryland 20854 | Citizenship: | USA |
| Post Office Address: | SAME | | |

Inventor's signature:  Date: 6-7-01

| | | | |
|--|--|--------------|-----|
| Full name of sole or 2nd inventor (given name, family name): | | Michael RUFF | |
| Residence: | 10319 Glen Road Potomac, Maryland 20854 | Citizenship: | USA |
| Post Office Address: | SAME | | |

Inventor's signature:  Date: 6/7/01

DECLARATION FOR PATENT APPLICATION

As a below-named inventor(s), I (we) hereby declare that:

My (our) residence(s), post office address(es) and citizenship(s) is (are) the same as stated below next to my (our) name(s).

I (we) believe I am (we are) an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **SHORT PEPTIDES FOR TREATMENT OF NEUROLOGICAL DEGENERATIVE DISEASES**

the specification of which is attached hereto unless the following box is checked:

was filed on October 4, 2000 as United States Application Number 09/647749
based on PCT International Application Number PCT/US99/07514 filed April 6, 1999
and was amended on _____ (if applicable).

I (we) hereby state that I (we) have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I (we) acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I (we) hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Prior Foreign Application(s): | | | Priority YES | Claimed: NO |
|-------------------------------|-----------|------------------|-----------------|----------------|
| (Number) | (Country) | (Day/Month/Year) | | |
| | | | | |
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| | | | | |

I (we) hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

60/080,836 6 April 1998

(Application Number)

(Filing Date)

I (we) hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I (we) acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulation, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| (Application Serial No.) | (Filing date) | (STATUS-patented, pending, abandoned) |
|--------------------------|---------------|---------------------------------------|
| | | |
| | | |

528 REC'D PCT/PTO 04 OCT 2000

17. X The following fees are submitted:

BASIC NATIONAL FEE [37 CFR 1.492(a)(1)-(5)]

CALCULATIONS **PTO USE ONLY**

| | | | | | | | | | | | | | | | | | | |
|---|-----------------|-----------------|-----------------|-----------------|------|------------------|----|------|--------------|---------------|---|------|-------------|--|--|--------|---|---------------|
| <input type="checkbox"/> Search Report has been prepared by the EPO or JPO..... \$40.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO [37 CFR 1.482]..... 6\$0.00 <input type="checkbox"/> No International preliminary examination fee paid to USPTO [37 CFR 1.482] but International search fee paid to USPTO [37 CFR 1.445(a)(2)]..... \$ 760.00 <input type="checkbox"/> Neither International preliminary examination fee [37 CFR 1.482] nor International search fee [37 CFR 1.445(a)(2)] paid to USPTO..... 9\$0.00 <input checked="" type="checkbox"/> International preliminary examination fee paid to USPTO [37 CFR 1.482] and all claims satisfied provisions of PCT Article 33(1)-(4)..... \$6.00 | | | | | | | | | | | | | | | | | | |
| ENTER APPROPRIATE BASIC FEE AMOUNT: | | \$ 96.00 | | | | | | | | | | | | | | | | |
| <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Claims</td> <td style="width: 25%;">Number filed</td> <td style="width: 25%;">Number extra</td> <td style="width: 25%;">Rate</td> </tr> <tr> <td>Total Claims ()</td> <td>07</td> <td>-20=</td> <td>0 x \$ 18. =</td> </tr> <tr> <td>Indep. Claims</td> <td>1</td> <td>-03=</td> <td>0 x \$ 78 =</td> </tr> <tr> <td colspan="2"><u>Multiple Dependent Claim(s) (if applicable)</u></td> <td>+ 250.</td> <td>=</td> </tr> </table> | | Claims | Number filed | Number extra | Rate | Total Claims () | 07 | -20= | 0 x \$ 18. = | Indep. Claims | 1 | -03= | 0 x \$ 78 = | <u>Multiple Dependent Claim(s) (if applicable)</u> | | + 250. | = | \$.00 |
| Claims | Number filed | Number extra | Rate | | | | | | | | | | | | | | | |
| Total Claims () | 07 | -20= | 0 x \$ 18. = | | | | | | | | | | | | | | | |
| Indep. Claims | 1 | -03= | 0 x \$ 78 = | | | | | | | | | | | | | | | |
| <u>Multiple Dependent Claim(s) (if applicable)</u> | | + 250. | = | | | | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS: | | \$ 96.00 | | | | | | | | | | | | | | | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date [37 CFR 1.492(e)] | | \$ 0.00 | | | | | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS: | | \$ 96.00 | | | | | | | | | | | | | | | | |
| Reduction by ½ for filing by small entity, if applicable. Verified Small Entity Statement must be filed. [Note 37 CFR 1.9, 1.27, 1.28] (Small Business Concern) | | \$.00 | | | | | | | | | | | | | | | | |
| SUBTOTAL: | | \$.00 | | | | | | | | | | | | | | | | |
| Processing fee of \$130.00 for furnishing the English Translation later than [] 20 [] 30 months from the earliest claimed priority date [37 CFR 1.492(f)] | | | | | | | | | | | | | | | | | | |
| TOTAL NATIONAL FEE: | | \$ 96.00 | | | | | | | | | | | | | | | | |
| Fee for recording the enclosed assignment [37 CFR 1.21(h)] The assignment must be accompanied by an appropriate cover sheet (PTO-1595) [37 CFR 3.28, 3.31]. \$ 40.00 per property + | | \$ 00.00 | | | | | | | | | | | | | | | | |
| TOTAL FEES ENCLOSED: | | \$ 96.00 | | | | | | | | | | | | | | | | |
| | | \$ \$ | | | | | | | | | | | | | | | | |

X A check in the amount of **\$96.00** to cover the above fees is enclosed.

The Commissioner is hereby authorized to charge the deposit account any other fees required with this submission or to credit any overpayment to Deposit Account No: 04-0838. A duplicate of this form is enclosed.

NOTE: Where an appropriate time limit under 36 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

William J. Sapone, Esq.

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New York, NY 10017

William J. Sapone

Name (Tel. (212) 679-0090)

Signature

32,518 October 4, 2000
Reg. No. Date